

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3194

IN THE MATTER OF:

Served July 7, 1988

Application of MADHU SUDAN for a)
Certificate of Public Convenience)
and Necessity to Conduct Special)
and Charter Operations --)
Sightseeing Tours)

Case No. AP-88-26

By application filed July 1, 1988, Madhu Sudan ("Mr. Sudan" or "applicant"), a sole proprietor, seeks authority to transport passengers in charter and special operations over irregular routes between points in the Metropolitan District, restricted to sightseeing tours. 1/2/

Mr. Sudan would conduct the proposed service in a 15-passenger van. Applicant proposes to offer four tours. Applicant's basic tour includes "indoor and outdoor views" of attractions described as follows: the White House, Capitol, Smithsonian, Bureau of Engraving and Printing, National History Building, Ford's Theatre, Washington Monument, Jefferson Memorial, Lincoln Memorial, and Viet Nam Memorial. The proposed rate for this tour is \$14.50 per person. For an additional \$8 per person any equal number of buildings may be substituted if located in "the central business district of Washington, D.C., or the area bounded by the Capitol building on the East, the Jefferson Memorial on the South, the Lincoln Memorial on the West and the White House on the North." A third tour including all buildings on the basic tour plus Arlington National Cemetery is also proposed at a rate of \$14.50 per person. A separate tour of Mt. Vernon would be available at a proposed rate of \$20 per person.

1/ The application describes the authority sought as follows: "between points in Maryland and Maryland, Maryland to Virginia and the District of Columbia, and Virginia to Maryland and the District of Columbia, and the District of Columbia to the District of Columbia, for customized and general tours in a van." If the above interpretation does not comport with the applicant's intention, applicant is directed to inform the Commission within 10 days of the service date of this order.

2/ To the extent that this application could be interpreted to include transportation solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

Applicant also plans to offer a customized tour originating in suburban Maryland or Virginia at \$40 per person. It is unclear from the application what is included in the customized tour. The application also reveals that "[c]harter service would be made available at a 20 percent discount for families of four or more, and for other groups of six or more."

With his application, Mr. Sudan submitted a balance sheet as of June 1, 1988, indicating current assets of \$36,000 and fixed assets minus depreciation of \$52,620. No current liabilities are listed. Long-term liabilities are represented by a \$30,000 line of credit. A letter of credit was included in the application. Capital stock ^{3/} of \$31,600 is also listed. A projected operating statement for the first 12 months of operations reflects WMATC operating income of \$44,000 with total gross income of \$57,000. Operating expenses for the same time period are projected at \$40,700 with net income after allowance for depreciation and taxes of \$3,890.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application must be scheduled for public hearing to determine if the applicant is fit, willing, and able properly to perform the proposed service and to abide by pertinent regulatory requirements, and to determine if the public convenience and necessity require the proposed service.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-88-26 is hereby scheduled to commence Thursday, August 4, 1988, at 9:30 a.m. in the Hearing Room of the Commission, 1625 I Street, N.W., Room 314, Washington, D.C. 20006.

2. That the applicant shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application and the hearing thereon in the form prescribed by the staff of the Commission, no later than Saturday, July 9, 1988, and present at hearing an affidavit of said publication.

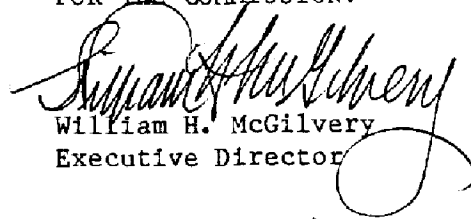
3. That any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Monday, July 25, 1988, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Brian J. H. Lederer, Esq., 3651 Veazey Street, N.W., Washington, D.C. 20008.

^{3/} It is noted that capital stock is not a balance sheet item for a sole proprietor. In addition, liabilities and equity do not balance with assets. Accordingly, applicant will be directed to file a corrected statement of financial condition and supporting schedules.

4. That applicant is hereby assessed \$600 pursuant to Title II, Article XII, Section 19 of the Compact and is directed to deliver said amount to the office of the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, no later than Monday, July 25, 1988.

5. That applicant is hereby directed to file with the Commission no later than Monday, July 18, 1988, an original and four copies of its corrected statement of financial condition and supporting schedules.

FOR THE COMMISSION:


William H. McGilvery
Executive Director